

FILED

e.5
8/17/84

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA

AUG 17 1984



Hammond Division

RICHARD E. TIMMONS, CLERK
U.S. DISTRICT COURT
NORTHERN DISTRICT OF INDIANA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MIDWEST SOLVENT RECOVERY,
INC., et al.,

Defendants.

Civil Action No. H-79-556

Judge Kanne

Magistrate Rodovich

Report of Certain

Defendants to the Court

in Response to the

Court's Directive at the

Hearing on July 20

REPORT OF CERTAIN DEFENDANTS TO THE COURT IN RESPONSE TO
THE COURT'S DIRECTIVE AT THE HEARING ON JULY 20, 1984

Defendants American Can Company, Inc., DeSoto, Inc., Insilco Corporation, Motorola, Inc., Penn Central Corporation, Pre-Finish Metals, Inc., Premier Coatings, Inc., Rust-Oleum, Inc., Standard T Chemical Company, Inc. and Zenith Radio Corporation (hereinafter the "undersigned defendants"), respectfully submit this report in response to the Court's directive at the hearing before Magistrate Rodovich on July 20, 1984.

1. In the period subsequent to July 20, the undersigned defendants have made extensive efforts to complete all of the steps necessary to commence clean up activities at the MIDCO II surface. These efforts included: several meetings among counsel, conducting a meeting in

F.W.

Chicago on August 7 attended by more than 50 companies which allegedly sent waste to the site, extensive discussions with the contractor to do the work, and negotiations with legal and technical representatives of the government. There are basically two separate tasks that have to be completed before the work can be commenced: (1) agreement with the government on a precise and detailed scope of work for the clean up; and (2) insuring that all of the approximately 72 companies who have committed to the cleanup, the great majority of whom are not now defendants, are still willing to participate in funding the cleanup in accordance with a formula for apportioning responsibility. In addition, pursuant to the Court's directive the undersigned defendants have been negotiating with the government a form of order covering the clean up and the stay in the hope that a single form of order could be submitted to the Court.

The undersigned defendants had hoped to be able to represent to the Court in this report that all of these tasks had been completed. This is not the case because of new developments beyond the control of the undersigned which occurred subsequent to the large meeting on August 7, at which commitments to clean up Midco II were made by approximately 72 companies based on certain assumptions. These assumptions, based on the scope of work contained in the technical proposal forwarded to the Court on August 1, 1984,

later proved to be incorrect. Specifically, the undersigned defendants were informed on August 9 by the government of new information about site conditions which will raise the clean up costs significantly. In addition, the contractor on August 9 unexpectedly informed the undersigned defendants that the contractor would have to do approximately three weeks of testing on the site in order to fix its contractual price.

Notwithstanding these developments, we still believe and expect that the clean up should go forward. Our contractor is prepared to commence testing as soon as the government grants access, which has already been requested. We have made great strides in defining with the governmental technical people the precise scope of work to be done. We have made substantial progress in narrowing our differences with the government on an order to cover the clean up activities.* We intend to commence a final large meeting of all participants in the clean up approximately one week after our contractor completes its testing and analyzes the results, which should be in the middle of September.

* Because no agreement has yet been reached, a copy of the undersigned defendants' proposed order is attached hereto as Attachment I. However, negotiations concerning the cleanup order are continuing in Washington on August 17 and are likely to continue up until the hearing scheduled for August 23.

The undersigned defendants' are therefore requesting that this court allow an additional period of six weeks after the court hearing on August 23, until October 4 to pursue this clean up approach. We would like the court to defer ruling on our request for a stay and to defer entering the order which is Attachment I until the necessary additional commitments are made by non-party participants which we expect to be October 4. During this period we will diligently pursue all of the activities described above, and we would respectfully request that the Court direct the parties to hold in abeyance activities in the litigation until that time.

2. The Court has asked for the defendants' intentions with respect to joinder of third parties. As stated above, the undersigned defendants fully expect that the Court will be able to enter the proposed stay requested on May 30, 1984. In the event that the Court should enter the stay requested on May 30, 1984, then at this initial stage of the litigation one or more of the undersigned defendants would seek to compel joinder of additional parties pursuant to Rules 19 and 21. If the court does not timely compel joinder of additional parties, one or more of the undersigned defendants would bring into the litigation, pursuant to Rule 14 of the Federal Rules of Civil Procedure, those companies which do not participate in the clean up of the surface of the Midco II site.

At the time at which the stay ceases to be effective, or if the stay is not granted, it is the intention of at least some of the undersigned defendants to bring into the litigation other potentially responsible parties which were not previously joined as defendants or third party defendants, including those companies which participate in the surface clean up of the Midco II site. A motion would be filed to compel joinder of additional companies which sent waste to the site pursuant to Rules 19 and 21 of the Federal Rules of Civil Procedure. If the motion to compel joinder is denied, then it is the intention of at least some of the undersigned defendants to bring third-party defendants into this litigation pursuant to Rule 14. Third-party joinder is contemplated by Rule 14 as a matter of right if filed not later than ten (10) days after a party serves his original answer. Accordingly, at least some of the undersigned defendants would, if neither the Rule 19 joinder motion nor the stay motion is granted, bring the third party defendants into the case not later than ten (10) days after service of answers.

The parties whom certain of the undersigned defendants will seek to add to this litigation under either the Rule 19 or Rule 14 alternative include all other companies which appear to have sent waste to the Midco I and/or Midco II site and which were not named as defendants by the government. A tentative list of these other companies, numbering

118, is attached hereto as Exhibit A. These defendants are in the process of finalizing their investigation of the third-party companies' relationship to the Midco sites, and the list attached as Exhibit A may be modified or expanded to reflect the results of these investigations.

3. With respect to the procedure for filing third-party complaints, it is anticipated that those of the undersigned defendants filing such complaints would join in a common third-party complaint.

4. With respect to the efforts to involve third parties in the surface clean up of the Midco II site, as part of the program described in paragraph 1 above, the undersigned defendants can inform the Court that subsequent to the hearing on July 20, they have conferred either in writing or in person, or both, with all other firms they have been able to identify which sent waste to the Midco I and/or Midco II site. The focus of these deliberations was on the issue of whether such third parties would be willing to join in a clean up of the Midco II surface in accordance with the terms of the stay order accompanying the motion filed on May 30. At this time the undersigned defendants are pleased to submit to the Court, attached as Exhibit B hereto, a list of those companies, in addition to the undersigned defendants, which prior to the new developments described in paragraph 1 above

were prepared to join in this clean up if the stay order were entered. Attached as Exhibit C hereto is a list of those companies which allegedly sent waste to the Midco I and/or Midco II site, but which are apparently unwilling to join in the clean up contemplated by the stay order of May 30.

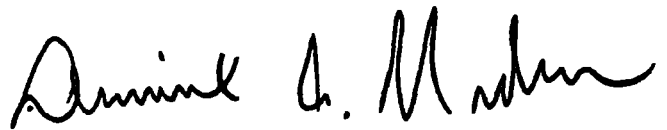
5. All of the undersigned defendants presently intend to join in a common motion or motions to dismiss the complaint in lieu of filing an answer. In addition it is anticipated that one or more of the undersigned defendants may file separate motions to dismiss or brief supplemental issues. It is respectfully requested that the undersigned defendants have until November 1, 1984 to file motions to dismiss and any Rule 19 motions. These defendants propose that plaintiff be given thirty days to respond to the motions to dismiss, and that these defendants thereafter be given twenty days to reply. These moderate expansions of the time limits prescribed in Local Rule 7(b) are necessary in light of the complex legal issues to be addressed in the motions to dismiss and the need to coordinate the preparation of the moving papers among the numerous moving defendants. In order to accommodate a consolidated memorandum by the undersigned defendants, it is requested that a limitation of 75 pages be applicable to each consolidated memorandum filed in connection with the motions to dismiss.

6. With respect to the management of discovery and a schedule for discovery, counsel for plaintiff and the undersigned defendants have met and conferred on this issue. It was the view of all counsel that the establishment of a schedule for discovery should be deferred until the Court has ruled on the proposals for bifurcation of this proceeding presented at the hearing on July 20. In this regard it was the position of the undersigned defendants that the issues related to the appropriate remedy be the subject of discovery and trial in the first part of the proceeding. Subsequent to a resolution of those issues, discovery and then trial will proceed as to the remainder of the issues including liability and apportionment in this case. As more fully described to the Court on July 20, this is the approach being followed in several other hazardous waste enforcement cases including, most recently, the case of U.S. v. Seymour Recycling (S.D. Ind.), a copy of which is being submitted under separate cover.

Respectfully submitted,

AMERICAN CAN COMPANY, INC.
DeSOTO, INC.
INSILCO CORPORATION
MOTOROLA, INC.
PENN CENTRAL CORPORATION
PRE-FINISH METALS, INC.
PREMIER COATINGS, INC.
RUST-OLEUM INC.
STANDARD T CHEMICAL COMPANY, INC.
ZENITH RADIO CORPORATION

By:



Daniel A. Medrea, Esq.
Lucas, Clifford & Holcomb
Twin Towers South, Suite 606
1000 E. 80th Place
Merrillville, IN 46410

Attorneys for the above-named
defendants for the purpose of
this filing only.

EXHIBIT A

Accutronics

Active Service Corp.

American Nameplate

American Printer

American Rivet

Apeco

Approved Industrial Removal

Armour Pharmaceutical

Artisan Handprints

Ashland Chemical

Barr & Miles

Belden Corp.

Bretford Mfg.

Butler Specialty

By Prod. Mfg.

Calumet Container

Cargill

Chemalloy

Chicago Etching

Chicago Nameplate

Chicago Rotoprint

City of Gary, Ind.

C&C Industrial Maint.

C.P. Clare (Gen. Inst.)

C.P. Hall

C.P. Inorganics

Commander Packaging

Connor Forest Ind.

Consumer Paint Factory

Continental Can

Conversions by Gerring

Croname

Crown Cork & Seal

Culligan Water Cond.

Curran, Frank J.

Custom Metals Processing

DAP, Inc. (Beecham Cosmetics)

Deublin Co.

Dobson Const.

Duo Fast Corp.

Dupage County Hiway

Dutone Corp.

Ekco Housewares

El-Pac, Inc.

Embossograph Display

Ess Kay

Ethicon (Johnson & Johnson)

Felt Products Mfg.

Flint Ink

Furnas Electric

Gearmaster

Gilbert & Bennett

Henry Pratt (Armsted Ind.)

J.M. Huber Corp.

Hydrite Chemical

Intaglio Svc.

Interstate Pollution

J&S Tinmill (Armstrong Cont.)

Knaak, Mfg.

Lansing Svc. Corp.

Lautter Chem.

Liquid Dynamics

Liquid Waste, Inc.

Masonite Corp.

McWharter Chemical

Metal Reclaiming

Metropolitan Crcts.

Midwest Recycling

Morton Chemical

Mr. Frank

Namsco

National Can

Naz Dar Co.

Northwestern Univ.

Pierce & Stevens

Pioneer Paints

Pyle National

R-Lite

Reflector HDW

Regal Tube

Reliance Universal

Richardson Graphics

Rozema Indust. Waste

St. Charles Mfg.

Scholle Corp.

Scrap Haulers

Sherwin Williams

Shield Coatings

Skil Corp.

Size Control


Specialty Coatings

Spot Nail

So. Calif. Chem.

Star Trucking

Stern Electronics



Stuart Chem. & Paint
Syntech Waste Treatment
Summer & Mace
T.R.C.
Teepack Inc.
Thiele-Engdahl
Thompson Chemicals
Tifft Chemicals
Touney Disposal
Triple S Etchants
Uniroyal
United Resin
U.S. Envelope
U.S. Steel
Universal Research Labs
Universal Tool & Stamp
Vander Miller Disposal
Velsicol Chem.
Victor Gasket (Dana Corp.)
Warner Electric Brake & Clutch
Warwick Chemical
Waste Research & Reclam.

Xerox

EXHIBIT B

Active Service Corp.

American Rivet

Armour Pharmaceutical

Barr & Miles, Inc.

Belden Corporation

Bretford Mfg.

Butler Specialty Company, Inc.

Cargill, Inc.

Chicago Etching Corp.

Chicago Nameplate Company

Chicago Rotoprint Co.

C. P. Clare & Co.

C. P. Hall Co.

Connor Forest Industries

Consumers Paint Factory, Inc.

Continental Can Co.

Culligan Water Conditioning

DAP, Inc.

Deublin Company

Duo Fast Corporation

DuPage County Highway Dept.

Du-Tone Corp.

Ekco Houseware Co.

Ethicon, Inc.

Felt Products Mfgr. Co.

Flint Ink

Furnas Electric Co.

Gearmaster

Gilbert & Bennett

Henry Pratt Company

Hydrite Chemical Co.

Interstate Pollution Control

J.M. Huber Corporation

J & S Tin Mill Products Company, Inc.

Knaack Mfg. Co.

Masonite Corporation

McWharter Chemical Co.

Metropolitan Circuits

Morton

Namsco, Inc.

National Can Co.

Naz-Dar Co.

Pierce & Stevens Chemical Corp.

Pyle National Co.

Reflector Hardware Corp.

Reliance Universal, Inc.

Richardson Graphics

St. Charles Mfg. Co.

Sherwin Williams Company

Skil Corporation

Stuart Chemical & Paint, Inc.

Syntech

Teepack Inc.

United Resin Adhesives, Inc.

United States Envelope Co.

U.S. Steel Corp.

Univ. Tool & Stamping Company

Velsicol Chemical Corp.

Victor Gasket

Warner Electric Brake & Clutch Co.

Xerox Corporation

EXHIBIT C

Accutronics

American Nameplate

American Printer

Apeco

Approved Industrial Removal

Artisan Handprints

Ashland Chemical

By Prod. Mfg.

Calumet Container

Chemalloy

City of Gary, Inc.

C&C Industrial Maint.

C.P. Inorganics

Commander Packaging

Conversions by Gerring

Croname

Crown Cork & Seal

Curran, Frank J.

Custom Metals Processing

Dobson Const.

El-Pac, Inc.

Embossograph Display

Ess Kay

Intaglio Svc.

Lansing Svc. Corp.

Lautter Chem.

Liquid Dynamics

Liquid Waste, Inc.

Metal Reclaiming

Midwest Recycling

Mr. Frank

Pioneer Paints

R-Lite

Regal Tube

Rozema Indust. Waste

Scholle Corp.

Scrap Haulers

Shield Coatings

Size Control

Specialty Coatings

Spot Nail

So. Calif. Chem.

Star Trucking

Stern Electronics

Summer & Mace

T.R.C.

Thiele-Engdahl

Thompson Chemicals

Tifft Chemicals

Touney Disposal

Triple S Etchants

Uniroyal

Universal Research Labs

Vander Miller Disposal

Warwick Chemical

Waste Research & Reclam.

ATTACHMENT I

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 479-556
)	Kanne, J.
MIDWEST SOLVENT RECOVERY)	
SERVICE, INC., et al.,)	
)	
Defendants.)	

ORDER PROVIDING FOR SURFACE CLEANUP OF THE
MIDCO II SITE, STAY OF CERTAIN ASPECTS
OF THE LITIGATION, AND OTHER MATTERS

The Court, having considered the motion for a partial stay by Defendants American Can Company, Inc., DeSoto, Inc., Insilco Corporation, Motorola, Inc., Penn Central Corporation, Pre-Finish Metals, Inc., Premier Coatings, Inc., Rust-Oleum, Inc., Standard T Chemical Company, Inc. and Zenith Radio Corporation (hereinafter "Moving Defendants") and the opposition of the United States thereto and having considered oral argument thereon; and it appearing to the Court that the motion should be granted,

NOW, THEREFORE it is Ordered;

1. The Moving Defendants shall promptly, upon entry of this order, arrange at their own expense for a

clean-up of the surface of the Midco II site by Chemical Waste Management, Inc. ("CWM"), which clean-up is defined in the "Technical Proposal for Remedial Measures at Midco II at Gary, Indiana" prepared by CWM attached hereto as Exhibit A* (hereinafter "Work" or "the Work"). The Court finds that the Work is consistent with the National Contingency Plan established pursuant to Section 105 of CERCLA and EPA is directed so to certify. The Work shall be performed in compliance with all applicable federal, state and local laws and regulations. All necessary permits shall be obtained and the government shall use its best efforts to expedite issuance of all such permits. Biweekly progress reports shall be submitted by CWM to the government, and copies of all documents generated by CWM in performance of the Work shall be provided to the government. EPA is entitled to splits of samples taken. The Work shall commence on _____, 1984 and be completed within 120 days thereafter. Upon satisfactory completion of the Work EPA shall so certify.

2. Moving Defendants shall obtain a \$10,000,000 bond securing performance of the Work and liability policies insuring against all liability arising out of the clean-up. The bond and policies shall contain coverage of the type and in the amounts shown in Exhibits B and C hereto.

* [All Exhibits will be provided at a later date.]

3. The government shall designate an on-site coordinator ("OSC") at the Midco II site to observe and monitor progress of the Work. The OSC shall have the authority vested by 40 C.F.R. § 300 et seq.

4. The participants in the clean-up are listed in Exhibit D hereto and include the Moving Defendants and other companies (hereinafter collectively "Participants"). Exhibit D also lists the dollar contribution to the clean-up by each of the Participants.

5. The prosecution and defense of this action is stayed except that:

A. Moving Defendants shall respond to the government's outstanding government discovery requests by October 1, 1984.

B. Moving Defendants may serve interrogatories and document requests on the plaintiff on or before November 1, 1984 and plaintiff shall respond thereto within 60 days.

C. Moving Defendants shall file dispositive motions by November 1, 1984, the plaintiff shall respond

within 45 days and Moving Defendants shall reply within 20 days thereafter.

D. Moving Defendants may file cross-claims and/or third party complaints against any person, firm or corporation, not a Participant, provided that the only claims so asserted that may be prosecuted are those for contribution or indemnity arising from Moving Defendants' performance of the Work. During the period that the stay specified herein is in effect, no defendant will file a third party complaint against any Participant, provided however such complaints may be filed when the stay is terminated.

E. This stay shall terminate on March 1, 1986 or upon completion by the United States of the Midco II RI/FS, whichever is earlier.

6. The entry of this stay shall not prejudice any claim or any defense which any party has in this case, including a claim for indemnity or contribution which any of the defendants may have against any person, firm or corporation. The Court will take each company's participation in the Midco II surface clean-up pursuant to this Order into account in assessing any issues of liability

addressed in this litigation in the future.

7. Those Participants in the Work at Midco II surface shall receive from the United States a covenant not to sue for any further liability with respect to the Midco II surface and shall not be subject to suit with respect to such liability. The satisfactory completion of the clean-up shall extinguish all liability of any person, firm or corporation to the United States for claims related to the Work. No other liability of any person, firm or corporation shall be affected by this Order.

8. Disputes arising concerning the interpretation of this Order shall be the subject of informal negotiations. If such dispute is not resolved thereby, any party may move the Court for an order directing compliance with, or modification of, this Order.

Judge, United States District Court

Date: _____

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA

FILED

AUG 17 1984

AT
RICHARD E. TIMMONS, CLERK
U.S. DISTRICT COURT
NORTHERN DISTRICT OF INDIANA ..

UNITED STATES OF AMERICA,)
)
Plaintiff)
)
vs.)
)
MIDWEST SOLVENT RECOVERY, INC.,)
et al,)
)
Defendants)

CIVIL ACTION NO. H79-556

ADDITIONAL STATUS REPORT TO REPORT OF CERTAIN
DEFENDANTS TO THE COURT IN RESPONSE TO THE COURT'S
DIRECTIVE AT THE HEARING ON JULY 20, 1984

Pursuant to Order of this Court and status conference held on ..
July 20, 1984 it is hereby reported to the Court the following
additional items not included in the Report of Certain Defendants
to the Court in Response to the Court's Directive at the Hearing
on July 20, 1984:

1. The Defendant, Premier Coatings, Inc., intends to file a
Motion to Dismiss based upon the theory of "de minimus non curat
lex". Said Defendant further intends, in the event that this ..
motion or a joint generator's motion to dismiss is not granted, to
file Cross-Complaints against the original Defendants and the Penn
Central Railroad and further intends to file Third-Party Comp-
laints against noncontributing generators and transportors.

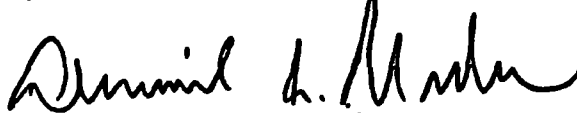
2. That the said Daniel A. Medrea has further been advised
by Defendant, Luther G. Bloomberg, that he intends to file a
Motion to Dismiss and/or a Motion for Summary Judgment as to the
liability issue. He has further been informed that Defendant,

Luther G. Bloomberg, intends to file a Third-Party Complaint
against all generators, operators, and/or owners of facilities,
and responsible parties who placed or caused to be placed upon his
land hazardous chemical substances.

Respectfully submitted,

LUCAS, CLIFFORD & HOLCOMB

By:



Daniel A. Medrea, as liason
counsel pursuant to the Court's
Order of July 23rd
1000 East 80th Place
Merrillville, Indiana 46410
(219) 769-3561

FILED

AUG 17 1984

RICHARD E. TIMMONS, CLERK
U.S. DISTRICT COURT
NORTHERN DISTRICT OF INDIANA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA

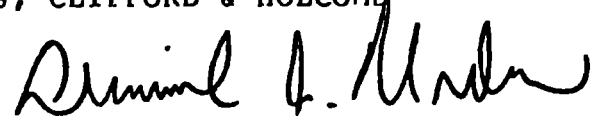
UNITED STATES OF AMERICA,)
)
Plaintiff)
)
vs.)
)
MIDWEST SOLVENT RECOVERY, INC.,)
et al,)
)
Defendants)

CIVIL ACTION NO. H79-556

CERTIFICATE OF SERVICE

I certify that on the 17th day of August, 1984, service of a true and complete copy of Report of Certain Defendants to the Court in Response to the Court's Directive at the Hearing on July 20, 1984 and Additional Status Report to Report of Certain Defendants to the Court in Response to the Court's Directive at the Hearing on July 20, 1984 was made upon the following parties or counsel of record shown on the attached Service List by serving counsel personally or by depositing the same in the United States mail in envelopes properly addressed to each of them with sufficient First-class postage affixed.

LUCAS, CLIFFORD & HOLCOMB



By:

Daniel A. Medrea
1000 East 80th Place
Merrillville, Indiana 46410
(219) 769-3561

SERVICE LIST

United States v. Midwest Solvent Recovery, Inc., et al
Civil Action No. H-79-556, N.D., Indiana

Edward R. Andrus, Jr., Esq.
Premier Coatings, Inc.
2250 Arthur Avenue
Elk Grove Village, Illinois 60007

Frederick H. Link
Maureen Johns Grimmer
Eichhorn, Eichhorn & Link
5243 Hohman Avenue
Hammond, Indiana 46320

John Borst, Esq.
Zenith Radio Corporation
1000 Milwaukee Avenue
Glenview, Illinois

Melvin Corn, Esq.
301 West Forth Street
Post Office Box 1281
Marion, Indiana 46952-0013

Ernest and Lovie DeHart
1100 South Baldwin
Lot 57
Marion, Indiana 46952-0013

Thomas Dent, Esq.
Motorola, Inc.
Seyfarth, Shaw, Fairweather & Geraldson
55 E. Monroe Street
Chicago, Illinois 60603

James J. Dragna, Esq.
Land and Natural Resources Division
U.S. Department of Justice
Washington, D.C. 20530

William J. Fitzpatrick, Esq.
DeSoto, Inc.
1700 S. Mt. Prospect Road
Des Plaines, Illinois 60018

Harvey M. Sheldon, Esq.
Nisen, Elliott & Meier
One North LaSalle Street
Suite 2300
Chicago, Illinois 60602

Eric L. Dolgin, Esq.
Atty., Hazardous Waste Section
Land and Natural Resources Div.
Department of Justice
Washington, D.C. 20530

Michael R. Berman, Esq.
Atty., U.S. Environmental Protection Agency
Region V, 230 S. Dearborn Street
Chicago, Illinois 60604

Elizabeth S. Davis
James T.J. Keating, Esq.
11 S. LaSalle Street
Chicago, Illinois 60603

Michael R. Blankshain, Esq.
Michael M. McCluggage, Esq.
Sean P. Kennedy
Wildman, Harrold, Allen & Dixon
One IBM Plaza, Suite 3000
Chicago, Illinois 60611

Daniel A. Medrea
Lucas, Clifford & Holcomb
Twin Towers South, Suite 606
1000 East 80th Place
Merrillville, Indiana 46410

Allan J. Topol, Esq.
David F. Williams, Esq.
Insilco Corporation
Covington & Burling
1201 Pennsylvania Ave., M.W.
P.O. Box 7566
Washington, D.C. 20044

J.B. Smith
Insilco Corporation
Beckman, Kelly & Smith
5900 Hohman Avenue
Hammond, Indiana 46320

Stephen M. Truitt
Wald, Harkrader & Ross
1300 Nineteenth Street, N.W.
Washington, D.C. 20036

Timothy L. Harker, Esq.
Kadison, Pfaelzer, Woodard,
Quinn & Rossi
1229 Nineteenth Street, N.W.
Washington, D.C. 20036

David E. Licht
280 Madison Avenue
New York, N.Y. 10016

Gary Mathews, Esq.
142 Rimbach
Hammond, IND 46320

William Moran, Esq.
9006 Indianapolis Boulevard
Highland, IND. 46322

Melvin Morris, Esq.
2216 Broadway
Post Office Box 3317
East Chicago, IN. 46312

Michael Murphy, Esq.
Rust-Oleum Corporation
11 Hawthorn Parkway
Vernon Hills, IL. 60061

William J. O'Connor, Esq.
5272 Hohman Avenue
Hammond, IN. 46320

Rob Olian, Esq.
(Pre-Finish Metals, Inc.)
Sidley & Austin
1 First National Plaza
Chicago, IL. 60603

Leo A. Ostrowski, Esq.
816 East Fourth Street
Griffith, IN. 46319

Michael Resney, Esq.
850 Burnham
Calumet City, IL. 60409

Timothy G. Rogers, Esq.
American Can Company
Post Office Box 3610
Greenwich, CT 06836-3610

Joseph Stalmack
(Penn Central Corporation)
Galvin, Stalmack & Kirschner
5253 Hohman Avenue
Hammond, IN 46320

Mark A. Lies, II
Michael F. Dolan
Seyfarth, Shaw, Fairweather & Geraldson
MOTOROLA, INC.
55 East Monroe Street
Chicago, Illinois 60603

G. Edward McHie
McHie, Myers & McHie
53 Muenich Court
Hammond, Indiana 46320

Carl N. Carpenter
Galvin, Galvin & Leeney
5231 Hohman Avenue
Hammond, Indiana 46320